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Sri Lanka

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution accords Buddhism the "foremost place" and commits the government to protecting it but does not recognize it as the state religion. The constitution also provides for the right of members of other religious groups to practice their religious beliefs freely.

There was no change in the status of respect for religious freedom by the government during the reporting period. Although the government publicly endorses religious freedom, in practice there were problems in some areas.

There continued to be sporadic attacks on Christian churches by Buddhist extremists and some societal tension due to ongoing allegations of forced conversions, although the number and scale of attacks appeared to be lower than in recent years. In contrast to previous years, there were no attacks against Muslims reported.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials conveyed U.S. government concerns about church attacks to government leaders and urged them to arrest and prosecute the perpetrators. Embassy officials also expressed concern to the government about the negative effect of anticonversion laws on religious freedom. The U.S. government continued to discuss general religious freedom concerns with religious leaders.

Section I. Religious Demography

The country has an area of 25,322 square miles and a population of 20.1 million.

Approximately 70 percent of the population is Buddhist, 15 percent Hindu, 8 percent Christian, and 7 percent Muslim. Christians tend to be concentrated in the west, Muslims populate the east, and the north is almost exclusively Hindu.

Most members of the majority Sinhala community are Theravada Buddhists. Most Tamils, who make up the largest ethnic minority, are Hindus. Almost all Muslims are Sunnis; there is a small minority of Shi'a, including members of the Bohra community. Almost 80 percent of Christians are Roman Catholics, with Anglican and other mainstream Protestant churches also present in cities. Seventh-day Adventists, Jehovah's Witnesses, Methodists, Baptists, Dutch Reformed, Pentecostals, and members of the Assemblies of God are also present. Evangelical Christian groups have grown in recent years, although membership is small.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution states, "Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice." The constitution gives a citizen "the right either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice, or teaching."

The Ministry of Religious Affairs has four departments that work specifically with Buddhist, Hindu, Muslim, and Christian affairs. According to the legislation defining their mandates, each department should formulate and implement programs that inculcate religious values and promote a "virtuous society."

Parliament again took no action on "anticonversion" legislation first introduced in 2004. In 2004 the Jathika Hela Urumaya Party (JHU) presented to parliament a bill that would criminalize "unethical" conversions, and in 2005 the JHU presented the bill for a second reading, despite a Supreme Court ruling that some sections of the bill were unconstitutional. Subsequently, the proposed bill was referred to a special parliamentary committee that reviewed the bill and referred it back to parliament for the third reading. The JHU indicated it would bring the bill forward again in 2010, but did not by the end of the reporting period.

Religious groups were not required to register with the government. To conduct financial transactions and open bank accounts, however, they must be incorporated either by an act of parliament under the Companies Act as a business, under the Societies Ordinance, or under the Trust Ordinance. Until the 1960s most churches were either Catholic or Anglican and were incorporated by acts of parliament. Beginning in the 1970s, as new Christian groups--including evangelical groups--began to emerge in the country, it became more common to register churches under the Companies Act. Over time evangelical churches have been accused of engaging in "unethical conversions." As a result the government has become reluctant to register new religious groups as companies. Evangelical groups reported that they found it increasingly difficult to register new churches or to reregister under the Companies Act. Registration under the Societies or Trust Ordinances limited these churches' ability to conduct certain financial transactions.

Matters related to family law, including divorce, child custody, and inheritance, were adjudicated according to the customary law of the concerned ethnic or religious group. The minimum age of marriage for women was 18 years, except in the case of Muslims, who continued to follow their customary religious practices of girls attaining marrying age with the onset of puberty and men when they were financially capable of supporting a family.

The government observed the following religious holidays as national holidays: Hindu Thai Pongal, New Year, and Deepawali festivals; Islamic Hadji and Ramzan festivals and the Birth of Prophet Muhammad; and Christian Good Friday and Christmas.

Religion was a mandatory subject in the public school curriculum. Parents may choose for their children to study Buddhism, Islam, Hinduism, or Christianity. Students who belonged to other religious groups could pursue religious instruction outside the public school system. All schools follow the Department of Education curriculums on the subject, which was compulsory for the General Certificate Education Ordinary/Level exams. International schools that followed the London Ordinary/Level syllabus may opt not to teach religious studies in schools.

Restrictions on Religious Freedom

There was no change in the status of respect for religious freedom by the government during the reporting period. Although the government publicly endorsed religious freedom, in practice there were problems in some areas. Foreign

clergy may work in the country, but for the last three decades, the government has limited the issuance of temporary work permits. Members of denominations registered formally with the government could work in the country. Most religious workers in the country were indigenous.

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Work permits for foreign clergy during the reporting period were issued for one year rather than five years as in the past; work permits can be extended. In the past it had become regular practice for many foreign religious workers on development projects to use tourist visas to gain entry without encountering any problems with immigration authorities. During the reporting period, however, government authorities informed some religious workers that they would not be able to continue this practice. They were not deported formally but instead were encouraged strongly to leave the country.

Some evangelical Christian groups complained of governmental discrimination in the provision of services. These groups reported that state schools refused to accept Christian children or forced the children to study Buddhism and the Colombo Municipal Council denied free midday meals to Christians who did not belong to the Catholic church.

Abuses of Religious Freedom

Since 1983 the government had battled the Liberation Tigers of Tamil Eelam (LTTE), a terrorist organization fighting for a separate state for the country's Tamil, and mainly Hindu, minority. The conflict formally ended in May 2009. Adherence to a specific set of religious beliefs did not play a significant role in the conflict, which was rooted in linguistic, ethnic, and political differences. The conflict affected Buddhists, Hindus, Muslims, and Christians. Estimates varied widely, but many believed approximately 100,000 persons died during the nearly 30-year war. The government, paramilitaries, and Tamil Tigers were accused of involving religious facilities in the conflict or putting them at risk through shelling in conflict areas. There were reports during the current reporting period of government troops setting up Buddhist shrines in Tamil areas of the north, with some Tamil groups claiming this was a sign of imminent, government-sponsored Sinhalese colonization of former LTTE-held areas, but military commanders in the north reported that they removed the offending shrines as soon as they were reported.

During the war there were credible reports that security forces committed human rights abuses at places of worship in the north and east. Since the end of the war, similar incidents have not been reported, although this may have been partially due to a lack of reporting mechanisms in the former conflict areas.

On June 25, 2010, approximately 100 police officers, reportedly on instructions from the Urban Development Authority, arrived at the Calvary Church in Rajagiriya. They assaulted the pastor and demolished the church, saying it was an unauthorized structure. The pastor argued that it was authorized, had been functioning since 1985, and had been paying taxes since 1999.

In April 2010 Sarah Malanie Perera, a Sri Lankan resident in Bahrain for 19 years, was arrested under the Prevention of Terrorism Act because of a book she had written entitled *From Darkness to Light*. The book described her conversion to Islam and was deemed offensive to Buddhism by the Ministry of Defense. She was detained and accused of antistate activities and having links to Islamic militants but was later released on bail. The case was referred to the Attorney General's Department.

On March 6, 2010, a mob of more than 100 persons, led by several Buddhist monks and individuals with reportedly close links to a local politician, disrupted the dedication of the pastor's residence of the Church of the Foursquare Gospel at Kalutara in the Kalutara District. The mob shouted at those gathered for the service, threatened the pastor, and tried to stop the service, claiming that the country was a Buddhist country, and that Christians needed permission to hold any meetings. The pastor filed a complaint with the local police, who subsequently advised the monks not to resort to violence. The police then demanded that the pastor show prior authorization from the Ministry of Religious Affairs and the Kalutara

Urban Council to engage in religious activity at the premises, neither of which is required by law. The pastor sought protection for his family, fearing another attack, and the police provided a guard.

In February 2010 following the detention of presidential candidate Sarath Fonseka, the Mahanayakes of Asgiriya and Malwatte summoned a Sangha Council, or Assembly of Monks. This was an extremely rare occurrence in the 2,500-year history of Buddhism in the country, and in the past most often took place when the assembly decided to advise the king on good governance. Immediately after this announcement, a delegation of government ministers met with the Mahanayakes to discourage them from holding the assembly. There were reports from a wide range of contacts that local temples across the country received anonymous threats that any buses carrying monks to attend the assembly would be bombed, and the Mahanayakes called off the sessions indefinitely. Contacts reported that the Mahanayake of Malwatte, who had organized the call for the assembly, was threatened with government action, which would split its chapter and significantly reduce its influence, if he attempted to speak out on political issues again.

During the campaigns prior to both the presidential election in January 2010 and the general election in April 2010 the JHU was alleged to have carried out a number of attacks on churches in an effort to mobilize Buddhist voters and gain their support. The JHU lost ground in the new parliament, however, dropping to two seats, and there was a noticeable decrease in attacks on churches as the reporting period reached its end.

On November 28, 2009, at the Church of the Foursquare Gospel Waragoda, Kelaniya, in the Gampaha District, a mob consisting of approximately 200 persons, including Mervyn Silva, Minister of Labor and UPFA organizer for Kelaniya; Mr. Rienzie Waragoda, a member of parliament; Mr. Hasitha Madawela, a provincial council member; and several police officers entered the church premises. The mob threatened the pastor in front of his wife, children, and mother-in-law, and told him to stop construction of the church building. They then broke chairs and other furniture, tore down banners, and toppled concrete pillars. They told the pastor to stop holding worship services immediately and, if he did not cease construction of the church, they would bring a bulldozer and destroy it. The church had been granted leave to proceed with the construction by the Appeals Court of Sri Lanka on November 3, 2009, after it appealed to the court to overturn an illegal order by the Kelaniya Urban Council which withdrew approval for the building of the church. A complaint was made to the Kelaniya Police, but no action was taken by the end of the reporting period.

On November 5, 2009, a mob of approximately 200 persons surrounded the Jesus Never Fails Prayer Centre at Koswatte in the Colombo District. The attackers threatened to kill the church's pastor, accusing him of unethical conversion; and police were unable to restrain the mob. A large protest march led by JHU parliamentarians, who are also monks, preceded the violent attack. The protest was in reaction to the deaths of two women who had attended a healing service conducted by the pastor on October 31, but who had died later in the hospital. JHU parliamentary leader denied involvement in the attack, but several television stations showed footage of Rathana's involvement in the attack. Although denying he was part of the attack, Reverend Rathana nevertheless called for the arrest of the pastor and urged that the anticonversion bill be passed.

In May 2009 security forces conducted a raid on the offices of the National Christian Evangelical Alliance of Sri Lanka, in Colombo. They searched for documents and interrogated staff, but took no further action during the current reporting period.

Although local political figures, local police, and JHU-affiliated monks in 2008 and early 2009 put pressure on the Assembly of God (AOG) church in Kalutara to close, the church was still operating, and no further incidents were reported in the current reporting period. There were no additional investigations or court actions involving any of the previous attacks on the church and its members.

There were no updates to the September 2008 attack on the Prayer Tower Church in the Puttalam District that resulted in the partial destruction of a church and assaults against some congregants.

For the first time in the post-war era, a pilgrimage was allowed to the Madhu Church site in Mannar. The Madhu Church area had been the scene of intense fighting during the later years of the war, and the historic statue of Our Lady of Madhu had been moved to another location to protect it from the fighting.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

The U.S. government has listed the LTTE as a Foreign Terrorist Organization since 1997. The LTTE victimized Muslims, Hindus, Buddhists, and Christians; it did not appear that the victims were selected along religious lines.

In 1990 the LTTE expelled tens of thousands of Muslim inhabitants, virtually the entire Muslim population in the area, from the northern part of the country, many from the town of Jaffna. Although most of these persons remained displaced and lived in or near welfare centers during the reporting period, small numbers of this community began to resettle in Jaffna, in particular as restrictions on travel to the north relaxed. It was unclear how many would eventually return, given the long period of time which had elapsed since their original departure. Many younger members of this community felt few ties to the north and expressed reluctance to return there.

Section III. Status of Societal Respect for Religious Freedom

Discrimination based on religious differences was much less common than discrimination based on ethnicity. In general, members of the various religious groups tended to be tolerant of each other's religious beliefs. However, allegations by Buddhist extremists of Christian involvement in "unethical" or forced conversions continued to be a source of tension between the two communities. Christians denied the charges, responding that persons freely underwent conversion. There were reports that members of some evangelical groups made disparaging comments about Buddhism while evangelizing. Some groups also alleged that Christians engaged in aggressive proselytism and took advantage of societal ills such as general poverty, war, and lack of education. Christians countered that their relief efforts were not aimed at converting aid beneficiaries.

During the reporting period, Christians of all groups sometimes encountered harassment and physical attacks on property and places of worship by some local Buddhists who were opposed to conversion and believed the Christian groups threatened them. The number and severity of the attacks appeared to diminish somewhat during the reporting period. Some Christian groups occasionally complained that the government tacitly condoned harassment and violence aimed at them. Police generally provided protection for these groups at their request. In some cases police response was inadequate, and local police officials reportedly were reluctant to take legal action against individuals involved in the attacks. The National Christian Evangelical Alliance of Sri Lanka reported attacks on Christian churches, organizations, religious leaders, and congregants; many of the attacks were reported to the police. Credible sources confirmed some of these attacks.

On March 28, 2010, a mob of approximately 150 persons, led by three Buddhist monks, attacked a church in Germanwatte, Pugoda, in the Gampaha district. They destroyed furniture and threatened the pastor with death unless he

stopped Christian worship in the area. Some attackers spat in the face of his elderly mother. The church filed a police complaint, but later withdrew it in the hope of reaching an amicable settlement.

On March 22, 2010, the owner of a hotel located near the AOG church at Wellawaya in the Monaragela District assaulted four youth on their way from a prayer meeting at the church. Later the hotel owner lodged a police complaint claiming he sustained an injury and was hospitalized because of an incident involving the youth. The hotel owner had in recent months acted aggressively towards the congregation, shouting insults at them while they went to the church. Later on the night of March 22 unidentified persons stoned the church.

On December 15, 2009, unidentified persons attacked and destroyed the Calvary Worship Centre at Thimilaithivu, in the Batticaloa District at midnight. The church filed a complaint with the Vavunatheevu police, but no update was available at the end of the reporting period. This church had been attacked on four previous occasions.

On December 12, 2009, a mob threatened the pastor at the Jeevena Diya Church at Godallahena, in the Kurunegala District, to stop holding services. The group claimed there were problems with the registration of the church, and the pastor and a few members of the congregation were taken by two Buddhist monks and villagers to the police for questioning. In the days following this incident, the pastor received letters calling on him to cease holding services. Mobs threw stones at the church, blocked the roadway leading to the church, and threatened members of the congregation with clubs, preventing them from attending Sunday services. The pastor was unable to conduct Christmas day services as a result.

On December 6, 2009, at Kurusewatte, Ja-Ela, in the Gampaha District, a mob attacked the Independent Catholic Prayer Centre, setting fire to the building and two vehicles. Police, army, and the Special Task Force were deployed to maintain law and order in the area and to arrest suspects, believed to be from the local area, but ultimately no arrests were made.

On November 8, 2009, the pastor of the Colombo Gospel Tabernacle at Moratuwa, in the Colombo District, received an anonymous threatening phone call. The caller demanded that he stop preaching and leading prayer meetings or face death. He was told he was being watched. On November 11 six or seven unidentified men rode up to him on three wheel bikes and on motorbikes and attacked him, beating him on his back with an iron rod. On November 17 the pastor received another threatening telephone call, telling him to stop his ministry and leave or be killed.

On November 6, 2009, a group of men, joined by the Buddhist monk of the village, attacked a Christian prayer meeting in a home at Jayanthipura Track 14 in the Polonnaruwa District. The attackers forced themselves into the house and dragged the pastor out, demanding that he leave the premises and stop conducting prayer meetings in the village. The Buddhist monk threatened the owners of the house and told them to vacate their home immediately. The pastor and the others present remained silent until the mob left and informed the police, but did not file a formal complaint so as to not aggravate the situation. The prayer meeting had been held in this household on a regular basis with approximately 15 persons attending.

On October 4, 2009, a Calvary Loving Church community center at Attampitiya in Bandarawela, in the Badulla District, was destroyed during the night. Police conducted investigations, but no arrests were made.

On October 25, 2009, a mob of approximately 200 persons, led by a Buddhist monk of the Nallamaduwa village, attacked a Methodist Church community center at Mawathawewa, Eppawela, in the Anuradhapura District. The center housed a day care, library, and other community facilities. No arrests were made during the reporting period.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials regularly meet with representatives of all the country's religious groups to review a wide range of human rights, ethnic, and religious freedom concerns. During the reporting period, embassy representatives met with government officials at the highest level to express U.S. government concern about the attacks on Christian churches and to discuss the anticonversion issue.

The U.S. government is a strong supporter of political reconciliation now that the conflict has ended, and the U.S. embassy supported interfaith efforts by religious leaders to promote a peaceful resolution of the underlying causes of the conflict.

The U.S. embassy conducted a number of interfaith panel discussions, workshops, and other events designed to promote interfaith dialogue and cooperative engagement. These discussions involved key regional religious leaders and reached several thousand participants.

USAID and the U.S. embassy undertook two projects involving religious freedom, which promoted interaction among different religious groups within the communities.

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